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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/902,796 | 07/12/2001 | Charles T. Shotton JR. | 032393.0002 | 7467 |

21967 7590 06/06/2003

HUNTON & WILLIAMS
INTELLECTUAL PROPERTY DEPARTMENT
1900 K STREET, N.W.
SUITE 1200
WASHINGTON, DC 20006-1109

| EXAMINER |
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NGUYEN, CAM LINH T

| ART UNIT | PAPER NUMBER |
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2171

DATE MAILED: 06/06/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/902,796

Applicant(s)

SHOTTON ET AL.

Examiner

Cam-Linh T. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5&7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Desai et al (U.S. 6,567,816) in view of Dan Kikinis (U.S. 5,727,159).

♦ As per claim 1, 14, 21 - 22,

Desai et al (U.S. 6,567,816) discloses an apparatus comprising:

- "Retrieval means for retrieving a first set of data from a first predetermined data source, said first set of data in any one of a plurality of possible formats" See claim 1, column 8 lines 56 - column 9 lines 12.
 - "A first set of data" corresponds to the data record in a first format.
 - "First set of data in any one of a plurality of possible formats" See Fig. 3
- "Analyzing means for analyzing said first set of data to select a second set of data included in said first set of data" See column 8 line 59 - 63, Fig. 4, column 4 line 53 - 63.
- "Storing means for storing said second set of data in a data store in a predefined storage format" See column 8 line 64 - 67.

Desai et al fails to disclose a device for display the data. However, Dan Kikinis (U.S. 5,727,159), discloses a method for translate information into a form/format readily

usable by a portable computer, comprising:

- "Retrieval means for retrieving a first set of data from a first predetermined data source, said first set of data in any one of a plurality of possible formats" See Fig. 4, step 89 - 97, column 10 lines 9 - 18, Kikinis. "A first set of data" corresponds to the data in the HTML and Image files, which comprise plurality of data formats.
- "Analyzing means for analyzing said first set of data to select a second set of data included in said first set of data", and "Means for recalling said second set of data from said data store and for formatting said second set of data for display on a display device" See column 10 line 20 - 35.
- "A second set of data" corresponds to the data that the proxy server converted from the web service providers.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of converting data format to a display in a portable device into the system of Desai, because the combination would provide the use of portable computer powered by electrical storage cell system (See column 2 line 39 - 47, Kikinis) that be able to display different data in different formats into a unique format. It also provide a way to accomplish relatively sophisticated computer operations with low-end, low-power CPUs (see column 4 line 56 - 64, Kikinis)

♦ As per claim 2, the combination of Desai and Kikinis discloses:

- "Said retrieval, storing, recalling all reside and execute on a single computer device" See Fig. 1- 2, Kikinis.

♦ As per claim 3 - 4, 17 - 18, the combination of Desai and Kikinis discloses:

- "Display device is a television monitor" See Fig. 1, column 4 line 35 - 48, Kikinis.
- ◆ As per claim 5 - 6, 10, the combination of Desai and Kikinis discloses:
 - "First set of data includes data about a device state from a home gateway system" See fig. 4, Kikinis.
- ◆ As per claim 7 - 8, 19, the combination of Desai and Kikinis discloses:
 - "Display device is a screen on a web-enabled telephone" See Fig. 1- 2, Kikinis.
- ◆ As per claim 9, 20, the combination of Desai and Kikinis discloses:
 - "Display device is a screen on a PDA" See Fig. 1, column 4 line 35 - 48, Kikinis.
- ◆ As per claim 11 - 13, the combination of Desai and Kikinis discloses:
 - "Identifying first, second, third candidates" corresponds to the identifying of ID, the size, resolution of the portable device (see column 10 line 20 - 24, Kikinis). Based on those parameters, the system of Kikinis will convert the data into a format to be displayed on the identified computer.
- ◆ As per claim 15, the combination of Desai and Kikinis discloses:
 - "First predetermined data source is an Internet source" (See Fig.4. element 87, Kikinis).
- ◆ As per claim 16, the combination of Desai and Kikinis discloses:
 - "Second predetermined data source is an Intranet resource" See column 11 line 58 - 60, Kikinis.
- ◆ As per claim 23,

- Claim 23 is rejected based on the rejection of claim 1; 11 - 14; and 22- 23.

Conclusion

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3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Zamanian et al (U.S. 6,339,775) discloses an apparatus and method for performing data transformations in data warehousing.
- Adair et al (U.S. 5,416,917) discloses a heterogeneous database communication system in which communicating systems identify themselves and convert any requests/responses into their own data format.
- Yamasaki et al (U.S. 5,963,937) discloses a format conversion of storage data using an efficient division of data.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Linh T. Nguyen whose telephone number is 703-305-1951. The examiner can normally be reached on Monday - Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Cam-Linh Nguyen
Art Unit 2171

LN


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100